IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION No.2526 OF 2007

Mohammed Hussain Suleman Mansori ..Applicant.

Vs.

The State of Maharashtra ..Respondent.

Mr Hakim Salim A.R. Advocate for the applicant.

Mr Rajesh More, APP for the respondent.

CORAM: V.C. DAGA,J.
DATED: 29.8.2007.

P.C.

1. Heard learned counsel for the applicant and the learned APP for the State.

2. Perused the application and the material available on record.

3. The applicant-original accused No.3 arrested in C.R.No. 253 of 2006, registered with Azad Maidan, Police Station, for the offence under Sections 392, 397 read with Section 34 of the I.P.C., is seeking bail under Section 439 of the Cr.P.C.

5. The present applicant-accused came to be arrested on 23.6.2007 and since he is in jail. He has moved bail application in Sessions Court which came to be rejected on 27.6.2007.

6. Having seen the material placed on record,

prima facie, I find no role played by the present applicant - accused no. 3, in the commission of offence.

7. No incriminating evidence is found against the present applicant. In this view of the matter, there is no reason to allow continue jail custody of the applicant any further, I am, therefore, inclined to grant bail to the applicant on following terms and conditions.

a] The applicant arrested in connection with C.R.No.253 of 2006 registered with Azad Maidan Police Station,for the offence punishable under Sections 392, 397 read with Section 34 of the I.P.C.shall be enlarged on bail subject to furnishing a personal bond of Rs. 25,000/- with one local surety in the like amount.

b] The applicant shall report to the above Police Station once in a week i.e. Monday in between 3.00 to 5.00 p.m. till conclusion of the trial.

c] The order of bail will be given effect only after the applicant furnish to the Investigating Officer the details about his place of residence and address where he propose to stay after he is enlarged on bail.

d] The applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not, in any manner, tamper with the prosecution evidence.

e] The applicant shall co-operate with the Investigating Officer in investigation.

f] Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

8. The applicant is put on notice that on a report by the State in violating any of the conditions by him, mentioned herein, shall result in cancellation of this bail order.

9. Application is disposed of in above terms.

(V.C.DAGA,J)